



# CAPACITY DEVELOPMENT REPORT

## SUCCESSFUL ENFORCEMENT MECHANISMS AND INITIAL CAPACITY DEVELOPMENT EFFORTS

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER QUALITY DIVISION  
DRINKING WATER SECTION

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# 1 INTRODUCTION

This report describes the Arizona Department of Environmental Quality's enforcement and capacity development efforts concerning public water systems in Arizona. The Arizona Department of Environmental Quality (ADEQ) both regulates public water systems (PWSs) and assists PWSs to improve their technical, financial, and managerial capacity as mandated by subsection §1420(b) of the Safe Drinking Water Act (SDWA).

Subsection, §1420(b) requires States to ".... prepare, periodically update, and submit to the Administrator a list of community water systems (CO) and nontransient, noncommunity water systems (NN) that have a history of significant noncompliance and, to the extent practicable, the reasons for noncompliance" and ".... report to the Administrator on the success of enforcement mechanisms and initial capacity development efforts in assisting [those systems] . . . to improve technical, managerial, and financial capacity," by August 6, 2001. The list and report must be included as part of the State's capacity development strategy to avoid the withholding of Drinking Water State Revolving Fund (DWSRF) monies, as stipulated in §1452(a)(1)(G)(I) of the SDWA.

The enforcement section of this report includes a description of the types of enforcement actions employed by ADEQ, including how they are used, and an analysis of the relative success of each type of enforcement action.

The initial efforts of ADEQ's capacity development coordinator and staff are summarized in Section 3 of the report, along with a discussion of methods for assessing the benefits of the program to public water systems. The capacity development group relies heavily on partnering with other agencies both within and outside of ADEQ. The current staff includes the capacity development coordinator, and three capacity development administrators.

# 2 ENFORCEMENT MECHANISMS

Most violations resulting in significant noncompliance (SNC) or a major deficiency are due to improper monitoring and reporting (A complete list of public water systems with a history of significant noncompliance is included in Appendix A). Monitoring and reporting are the cornerstones of the Safe Drinking Water Act and ensure that all Arizonans have safe drinking water. Although this is a complex task, it is essential - particularly for children, the elderly and those with hypersensitive immune systems.

Publicizing enforcement actions promotes awareness among PWSs, thereby motivating them to get their public water systems in order. In general, the result of an enforcement action is positive, and lowers a PWS's priority on the Capacity Development Master Priority List. The Monitoring Assistance Program (MAP) has helped reduce the total number of violations but not enforcement actions. This program is discussed in detail in Section 3.6.

The ADEQ Drinking Water Compliance and Enforcement Unit (DWCEU) uses a number of resources to meet compliance and enforcement objectives. The following list of enforcement actions is used by DWCEU to bring PWSs into compliance. The enforcement types are listed in ascending order of significance:

- 1) Compliance Assistance,
- 2) Notice of Opportunity to Correct (NOC),
- 3) Notice of Violation (NOV),
- 4) Consent order, and
- 5) Compliance order.

Before deciding which type of enforcement mechanism to use, DWCEU prioritizes violations. Several common types of SNC violations include:

- Lead and copper monitoring,
- Operation and maintenance deficiencies,
- Missed microbiological samples, and
- Unpaid MAP invoices.

## 2.1 Compliance Assistance

Compliance assistance is the most widely used mechanism utilized by DWCEU to assist PWSs to stay in compliance. It is also used in the case of a minor deficiency to return a system to compliance. The use of informal enforcement processes encourages PWSs to initiate contact with ADEQ to correct violations and deficiencies before minor deficiencies become major deficiencies. A PWS may initiate assistance with DWCEU through the use of a Compliance Assessment Package. DWCEU may also apply compliance assistance in the form of an informal phone call or letter.

### 2.1.1 Compliance Assessment Package

In an effort to assist PWSs in tracking their compliance status and to assist in scheduling mandatory water testing, DWCEU has developed a Compliance Assessment Package. A PWS may download the appropriate forms and call DWCEU to request an up-to-date “Data Printout Report”, which includes all data received by ADEQ. A PWS can use the compliance assistance forms, along with the “Data Printout Report”, to track current compliance with drinking water rules. Once a PWS has completed their assessment, they may contact DWCEU for a review. DWCEU is also developing a Compliance Assessment Package for Surface Water Systems. The following documents are available on the ADEQ web site:

[Assessment Forms for Community \(CWS\) and Nontransient Noncommunity \(NN\) Groundwater Systems](http://www.adeq.state.az.us/environ/water/compliance/download/assess.pdf)  
<http://www.adeq.state.az.us/environ/water/compliance/download/assess.pdf>; 135 KB; 05/26/00; 23 pages, includes ALL monitoring and reporting categories divided into three year compliance periods: 1993-1995; 1996-1998 & 1999-2001, subdivided into quarters. Please note, Each Point of Entry (POE) requires a separate assessment form. If the PWS has three POEs, you must use three assessment forms.

[Community Water System \(CWS\) and/or Nontransient Noncommunity \(NN\) Groundwater Worksheet](http://www.adeq.state.az.us/environ/water/compliance/download/cws-nn.pdf)  
<http://www.adeq.state.az.us/environ/water/compliance/download/cws-nn.pdf>; 19 KB; 12/08/99; Six pages, includes ALL monitoring and reporting categories with Rule Citations and a brief summary of the required water testing that must be performed.

[Assessment Forms and Worksheet for Transient Noncommunity \(TN\) Groundwater System](http://www.adeq.state.az.us/environ/water/compliance/download/tnassessf.pdf)  
<http://www.adeq.state.az.us/environ/water/compliance/download/tnassessf.pdf>; 27 KB; 12/08/99; Four pages, Assessment Forms include ALL monitoring and reporting categories divided into 3 year compliance periods: 1993-1995; 1996-1998 & 1999-2001, subdivided into quarters. Please note, Each POE requires a separate assessment form. If the PWS has three POEs, you must use three assessment forms. Worksheet includes ALL monitoring and reporting categories with Rule Citations and a brief summary of the required water testing that must be performed.

[Contaminant List Codes for CWS - NN or TN](http://www.adeq.state.az.us/environ/water/compliance/download/contcode.pdf)  
<http://www.adeq.state.az.us/environ/water/compliance/download/contcode.pdf>; 13 KB; 09/30/00; Two pages, this list is used to identify the different contaminants listed in the Data Printout Report and includes ALL monitoring and reporting contaminants with Triggers & Maximum Contaminant Levels (MCL).

### 2.1.2 Enforcement Letter or Telephone Response

In certain cases, an enforcement letter or phone call is used by DWCEU for low priority enforcement. This type of response is designed to provide the public water system with information that the specific identified scenario constitutes a violation which requires a response. Many PWS owners are receptive to this type of enforcement because they want their PWS in compliance. This is the most widely used enforcement action and is the most effective use of resources within DWCEU. This process allows PWSs the opportunity to respond to a violation in a way that lessens the priority of the occurrence of the violation thus allowing the majority of available DWCEU resources to concentrate on PWSs with significant noncompliance violations.

## 2.2 Notice of Opportunity to Correct

A Notice of Opportunity to Correct (NOC) is authorized pursuant to Title 41, Article 1, Section 1009(E) of the Arizona Revised Statutes. This type of enforcement allows the regulated person an opportunity to correct a deficiency identified during an inspection and recorded in an inspection report. An NOC is issued primarily for minor violations identified during a sanitary survey. The NOC provides a public water system an opportunity to correct the violation cited in the NOC and provides the public water system 30 days to comply with the law. A notice of opportunity to correct provides a written record of a PWS's deficiencies and may allow an inspector to provide advice of how a PWS can correct the deficiency.

## 2.3 Notice of Violation

A Notice of Violation (NOV) is an enforcement document that identifies statute and/or rule violations. An NOV is defined by an ADEQ policy and is comprised of the following criteria:

- The factual nature of a violation;
- The citation of authority resulting in a violation;
- A time frame to achieve compliance;
- An offer to meet and discuss the violation(s); and,
- A statement of consequence.

An NOV is an informal enforcement document. If the violation identified by an NOV is not resolved within 120 days, then resolution of the violation will be sought through a formal enforcement action.

## 2.4 Consent Order

A consent order is an administrative order that is a bilateral agreement between DWCEU and the offending PWS. This type of enforcement is used to resolve a violation that cannot be accomplished within the 120-day time period required by an NOV. The terms and conditions of a consent order, including a compliance schedule, are negotiated between the Department and the public water system. The order states that compliance will be achieved in an enforceable format by an agreed upon time frame. A consent order may contain monetary administrative penalties that were negotiated and agreed upon by the public water system and ADEQ. A list of public water systems that have completed the terms and conditions of an administrative order is compiled in Appendix B, Water Quality Report.

## 2.5 Compliance Order

A compliance order is a unilateral administrative order written by DWCEU. A compliance order is a formal enforcement document, which identifies unresolved violations that exist and prescribes specific corrective action and time frames for the public water system to correct the violation. A compliance order may contain monetary administrative penalties which are prescribed by the Department. A public water

system subject to a compliance order has a due process right of appeal by administrative hearing pursuant to Title 41, Chapter 6, Article 10 of the Arizona Revised Statutes. The Department uses this type of enforcement for the most recalcitrant PWSs. A list of public water systems that have completed the terms and conditions of an administrative order is compiled in Appendix B, Water Quality Report.

## 2.6 Other Types of Enforcement

Other enforcement mechanisms exist for use by the director. A.R.S. 49-354(H) states:

*H. If the director has reason to believe that a person is in violation of this article or a rule adopted or an order issued pursuant to this article or believes that a person is creating an actual or potential endangerment to the public health because of acts performed in violation of this article or a rule adopted pursuant to this article, the director, through the attorney general, may request a temporary restraining order, a preliminary injunction, a permanent injunction or any other relief necessary to protect the public health.*

Currently there are no public water systems involved in this type of enforcement.

# 3 INITIAL CAPACITY DEVELOPMENT

In August 2000, ADEQ submitted a comprehensive capacity development strategy that was created by the Department using input from community leaders and water system professionals. The strategy was approved by the U.S. EPA, Region IX in September 2000. The major accomplishments of the strategy are:

- 1) Develop a Master Priority List,
- 2) Administer the Operator Certification Rule,
- 3) Technical Assistance Rule Development,
- 4) Education and Outreach,
- 5) PWS Assessment and Data Gathering, and
- 6) Monitoring Assistance Program.

## 3.1 Education and Outreach

The Capacity Development Program is the primary drinking water program used to reach the regulated community and the general public for general education and public outreach. The main types of outreach used to inform and educate include:

- Technical Workshops,
- Customer Service and Stakeholder Meetings, and
- The SPLASH Newsletter and the ADEQ Web Page.

### 3.1.1 Technical Workshops

ADEQ periodically presents technical workshops statewide and also conducts workshops with other government regulators and nonprofit organizations. ADEQ partners with the Arizona Small Utilities Association (ASUA) and the Arizona Corporation Commission (ACC) to disseminate technical information to operators, owners, managers and communities about current safe drinking water programs and rules. ASUA has a membership of several hundred small water facilities and utilities however, membership is not limited to utilities of a certain size. The ACC regulates approximately 400 public water systems. This partnership allows all entities to interact with facilities that may not otherwise attend a workshop sponsored separately by ADEQ, ASUA, or ACC. Topics included in the workshops are:

Operator Certification Rule, Safe Drinking Water Rule, the Source Water Assessment Program, the Wellhead Protection Program, Capacity Development and the Monitoring Assessment Program. In addition, each audience has an opportunity to raise issues specific to a geographic area of the state. These outreach efforts provide Arizonans who reside outside the densely populated metropolitan areas access to safe drinking water technical assistance. A total of 20 technical workshops were conducted and attended by approximately 500 persons. ADEQ also informs workshop attendees about future rulemaking at both the state and federal level. These sessions are very popular and well attended.

In addition to technical workshops, ADEQ participates in educating local elementary and high school students. Several days prior to the presentation, handouts and other materials are delivered to the classrooms for study and in-class preparation for the session. ADEQ instructors then present the material covering topics such as: hydrological cycle, uses of water, sources of water, non-point source pollution, and recycling. A groundwater flow model is used in conjunction with the presentation to provide the students a representation of how water is used. A career in the field of water and wastewater treatment is also summarized. A total of 12 school presentations were conducted by the Department and attended by approximately 270 persons.

### 3.1.2 Stakeholder Meetings and Customer Service

The Capacity Development Program and the Operator Certification Program make extensive use of Stakeholder meetings to gather information and consider the concerns of the regulated community. Stakeholder meetings are an integral part of any rule making process.

Customer service is addressed on a daily basis, via telephone calls and email, to assist owners/operators of new and existing PWSs complete capacity development requirements. Customer assistance is also an integral part of the operator certification program. Staff personnel assist operators requesting information about renewing a certificate, workshop schedules and other information related operator certification. Formal presentations are used by the Department to educate the certified operators on how the new rule is implemented. This information is also explained at an individual level when an operator contacts the operator certification coordinator for assistance.

The operator certification coordinator also maintains interactions with the examination contractors to ensure that the requirements of the rule and applicable certification are met (Section 3.2)

### 3.1.3 SPLASH Newsletter and ADEQ Web Page

The SPLASH newsletter is a drinking water quarterly published by the Capacity Development Program. Content includes articles, facts, and news related to drinking water and the related state programs. The publication also includes a schedule of technical workshops and other technical events.

ADEQ Online is an effective tool used by Capacity Development to improve the technical and managerial capacity of PWSs. The following summary lists the items for download and their approximate monthly hits:

• MAP Sampling Schedules	1,000
• Operator Certification Fact Sheet	250
• Operator Certification Renewal Forms	150
• Operator Certificate PDH Renewal Form	150
• Operator Certification Rule	100
• Workshop Schedule	50
• Compliance Assessment Forms	50
• PDOU Web Page	50

- Capacity Development Document 50
- SPLASH Newsletter 50
- Operator Certification Reciprocity Form 50
- Expired Certificate Table 50

The Capacity Development staff has identified electronic media as one of the major tools that can be exploited to enhance the capacity of public water systems.

### 3.2 Operator Certification Rule Development

ADEQ recently amended its rules regulating operator certification found at Title 18, Chapter 5, Article 1 of the Arizona Administrative Code. The purpose of the rulemaking is to improve the operator certification program administered by the Arizona Department of Environmental Quality, to ensure the quality of drinking water distributed through public water systems in Arizona. The changes also bring Arizona's operator certification program into alignment with operator certification programs in other states, and avoid possible significant cuts in grant funding to the State of Arizona.

The statutory authority for this rulemaking is provided by ADEQ's general rulemaking authority (A.R.S. § 49-104), the agency's designation of responsibility for the Clean Water Act and Safe Drinking Water Act in Arizona (A.R.S. § 49-202, which includes authorization to enter into contracts and agreements), ADEQ's designation as the agency responsible for ensuring the quality of potable water in public water systems in Arizona (A.R.S. §§ 49-351, 49-353), and ADEQ's responsibility for certifying operating personnel for potable water systems (A.R.S. § 49-352). There is also a federal incentive created by 42 U.S.C. §§ 300j-12(a)(1)(ii), which states that the Administrator of the U.S. Environmental Protection Agency must withhold 20 percent of each state capitalization grant unless the state has met the requirements of 42 U.S.C. §§ 300g-8, relating to operator certification. 42 U.S.C. §§ 300g-8 required the publication of guidelines in the Federal Register, after notice and opportunity for comment, specifying the minimum standards for certification of operators of public water systems.

On February 6, 1999, the EPA finalized the "Guidelines for the Certification and Recertification of the Operators of Community and Nontransient Noncommunity Public Water Systems." The Safe Drinking Water Act (SDWA) Amendments of 1996 required that the final guidelines be published in the Federal Register by February 6, 1999. The guidelines provide States with EPA's view of the minimum standards for the development, implementation and enforcement of operator certification programs for community and nontransient noncommunity public water systems. The Department's primary purpose is to increase public safety by strengthening the existing criteria for the certification of operators of public water systems.

ADEQ held five stakeholder meetings during April and May to discuss the proposed new rule to establish criteria for operator certification. Approximately 50 stakeholders attended the meetings and gave their input on the draft rules. ADEQ incorporated many of the suggestions by the stakeholder group into the proposed rules. The rules establish the requirements for certification and classification, examinations, renewal of certificates, expired certificates, revocation, reciprocity for out-of-state applicants, and experience and education. The rule package was approved by the Governor's Regulatory Review Council and became effective on February 16, 2001. Final program approval by the EPA is pending.

One major component of the rule is the repeal of the fees associated with exams, certification, and renewals. The Department has contracted with several third parties who administer the examinations but reserves the right to administer operator certification examinations. This revision to the rules increases flexibility for the public water systems, as the third-party examiners are able to provide the examinations at a place and time that is more convenient for operators as well as offering examinations on a walk-in basis or by appointment.



A certification program provides testing and training requirements for persons who will be responsible for the operation of water systems. Through the certification program, persons obtain and demonstrate their ability to safely operate drinking water systems. The operating requirements for public water systems range from simple to complex, depending on the source water quality and system size. Generally, smaller water systems are less sophisticated and easier to operate than larger water systems. Therefore, it is not appropriate or economical to require small systems to have an operator of the same competence as a larger water system. As system size increases, the complexity of the system increases as well. Because of this, it is necessary to devise a graduated classification system of water systems. Arizona's current operator certification program provides for this graduated classification system; the classification system has been enhanced and modified in accordance with the EPA guidelines. The proposed classification system now operates on a point system, whereby additional points are accrued as population and system sophistication increases. The operator certification program ensures that all water systems, from the smallest to the largest, are supervised by operators who have experience and training commensurate with the sophistication of the system.

### 3.3 Technical Assistance Rule Development

The Water Quality Program does not currently have an available mechanism to disburse Capacity Development Funds (DWSRF) for existing public water systems. ADEQ held a stakeholder meeting in October 2000 to discuss the proposed new rule to establish criteria for technical assistance. Approximately 15 stakeholders attended the meeting and gave their input on the draft rule. In addition, the Department is working with the Water Infrastructure Finance Authority (WIFA) for rule review and comment. WIFA is currently processing amendments to its Technical Assistance Rules. The primary objective of a joint review is to ensure that ADEQ's rule complements the WIFA rule, thus avoiding duplication or redundancy. The rule will establish the criteria for system evaluation and operational technical assistance. The following new definitions may be included in the new technical assistance rule:

**Operational Technical Assistance** - Funds used to improve the technical, managerial, or financial operations of an existing public water system.

**System Evaluation Assistance** - means funds used to assess the status of public water system technical, managerial, and financial components, with emphasis on infrastructure status.

**Project Technical Assistance** - WIFA will assist an individual drinking water or wastewater system to conceive, plan, design, and develop infrastructure. Example: water system master plan.

**Policy Technical Assistance** - WIFA will develop and distribute guidance or perform related activities to benefit a wide range of drinking water and wastewater systems. Example: residential rate survey.

WIFA currently fulfills the role of meeting a public water system's need for technical assistance. Upon the effective date of this rulemaking, ADEQ will assume some of the responsibility for technical assistance as well as identifying a greater number of eligible systems for financial assistance. The ADEQ Technical Assistance Rule will be on the agenda for comment during public hearings in Tucson, Phoenix and Flagstaff on July 31, August 1, and August 2, respectively. The rule package will be reviewed by the Governor's Regulatory Review Committee on or about October 2001.

### 3.4 Public Water System Assessment and Data Gathering

An initial survey of public water systems was conducted during. The survey called, *Survey 2000* asks a total of 12 questions designed to give the Capacity Development staff an idea of what the regulated community's view of their capacity is. ADEQ plans to develop an in-depth survey to use as part of a technical assistance application. The use of written surveys continues to be an important tool to accurately assess and prioritize the capacity of PWSs.

### 3.4.1 Survey 2000 Results

A twelve-question survey was developed and mailed to public water systems to obtain information concerning the current condition of existing public water systems. A postage-paid survey card (Figure 1) was mailed to 1493 community and noncommunity public water systems. The total reflects the number of business offices to which the survey was sent. A business office address was selected in order to maximize the response to the survey. The survey questions were developed on the basis of technical, managerial and financial capacity currently defined in rule pertaining to public water systems in Arizona. Survey 2000 is intended to provide information to establish baseline data and may also be conducted annually to measure strategy success and is part of an on-going process to involve stakeholders in administering the capacity development program. The initial response to Survey 2000 is shown on Tables 1 and 2. The results and the response to each question are tabulated in Appendix C.

**Figure 1. Survey Card and Questions**

PWSID # : _____ PWS Name: _____	
Telephone: (____) _____	e-mail address: _____
1) Check all PWS classifications and grades that apply to your system.	
<input type="checkbox"/> Water Distribution	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> don't know
<input type="checkbox"/> Water Treatment	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> don't know
2) Do you treat your water? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> don't know	
3) My system employs: <input type="checkbox"/> on-site operator <input type="checkbox"/> remote operator <input type="checkbox"/> no operator	
4) Does your system have a written operations & maintenance plan? <input type="checkbox"/> YES <input type="checkbox"/> NO	
5) What is the condition of your system's infrastructure?	
<input type="checkbox"/> poor <input type="checkbox"/> adequate <input type="checkbox"/> excellent <input type="checkbox"/> don't know	
6) Does your system have a written list of employees' job descriptions? <input type="checkbox"/> YES <input type="checkbox"/> NO	
7) Does your system have a written emergency response plan? <input type="checkbox"/> YES <input type="checkbox"/> NO	
8) Does your system prepare an annual budget that itemizes income & expenses?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	
9) Does your system have a cash reserve for emergencies? <input type="checkbox"/> YES <input type="checkbox"/> NO	
10) Do you own a computer? <input type="checkbox"/> YES <input type="checkbox"/> NO	
If NO, do you plan on purchasing one within the next year? <input type="checkbox"/> YES <input type="checkbox"/> NO	
If YES, do you have or will you have access to the Internet? <input type="checkbox"/> YES <input type="checkbox"/> NO	
11) To comply with the Safe Drinking Water Act my system needs:	
<input type="checkbox"/> financial aid <input type="checkbox"/> technical support <input type="checkbox"/> managerial help <input type="checkbox"/> none	
12) Would you participate in a detailed survey? <input type="checkbox"/> YES <input type="checkbox"/> NO	

**Table 1. Number of survey responses by system type**

System Type	returned	mailed	response	percent of total
Community	264	593	45%	59%
Nontransient noncommunity	48	153	31%	11%
Transient noncommunity	134	747	18%	30%
TOTAL	446	1493	30%	100%

**Table 2. Number of survey responses by county**

<b>County</b>	<b>returned</b>	<b>mailed</b>	<b>response</b>	<b>percent of total</b>
Apache	18	61	30%	4%
Cochise	30	95	32%	7%
Coconino	40	135	30%	9%
Gila	24	93	26%	5%
Graham	11	20	55%	3%
Greenlee	7	16	44%	2%
Maricopa	71	226	31%	16%
Mohave	32	98	33%	7%
Navajo	17	63	27%	4%
Pima	61	187	33%	14%
Pinal	29	92	32%	7%
Santa Cruz	10	37	27%	2%
Yavapai	64	206	31%	14%
Yuma	11	46	24%	3%
La Paz	21	118	18%	5%
Total	446	1493	30%	100%

### 3.5 Master Priority List

The Capacity Development Program is responsible for developing and maintaining a Master Priority List of PWSs. Data is collected from the available databases in the ADEQ Drinking Water Section that contains public water system statistics. Staff personnel created a 2000 master priority list for Arizona's 1700 public water systems using a combination of existing data and data obtained through the capacity development process. The criteria used to develop the list comes from the Capacity Development Strategy and includes: public water system type, population served, source water, consecutive indicator, ownership type, MAP participant, major deficiencies, MCL violation, compliance violation, certified operator, *Survey 2000*. Table 3 is a list of the criteria and the corresponding points. A complete master priority list is included in Appendix D. The public water system data is recollected and analyzed at the end of each calendar year to reprioritize the PWSs on the list for capacity development purposes.

**Table 3. MPL Criteria and Score**

TOTAL CRITERIA SCORING	76
<b>Initial Monitoring Year</b>	
1993, 1994, 1995	5
1996, 1997, 1998	2
1999, 2000, 2001	0
<b>System Type</b>	
Community (CO)	5
Nontransient, noncommunity (NN)	2
Transient, noncommunity (TN)	0
<b>Consecutive Indicator</b>	
0, 2	5
4, 5	2
1, 3, 6, 7	0
<b>Source Water</b>	
Surface Water	2
Groundwater or purchased water	0
<b>Population Served</b>	
<= 100	10
101 to 500	7
501 to 3,300	5
3,301 to 10,000	3
10,001 to 50,000	1
> 50,000	0
<b>Owner Type</b>	
R, U, W, Z	5
A-P, S, T, X	0
<b>Compliance Violation</b>	
YES	10
NO	0
<b>Major Deficiency (&gt;01-JAN-1996)</b>	
YES	10
NO	0
<b>MCL Violation (&gt;01-JAN-1999)</b>	
YES	10
NO	0
<b>Certified Operator</b>	
YES	0
NO	5
<b>MAP Participant</b>	
YES	2
NO	0
<b>Survey 2000</b>	
YES	2
NO	0
<b>WIFA Assistance</b>	
YES	0
NO	5

### 3.6 Monitoring Assistance and Waiver Program

Two of the primary programs used to develop initial capacity development efforts are the Monitoring Assistance Program (MAP) and waiver program. MAP provides for the collection, transportation, analysis, and reporting of baseline volatile organic contaminants (VOCs), synthetic organic contaminants (SOCs), and inorganic contaminants (IOCs) for regulated public water systems serving 10,000 persons or less. The public water systems are still responsible for collecting, analyzing, and reporting asbestos, lead, copper, nitrate, nitrite, microbiological (total coliform) and radiochemicals.

MAP is mandatory for public water systems serving 10,000 persons or less (876 public water systems out of a total of approximately 950) and optional for water systems serving populations greater than 10,000 persons or water systems owned by state and federal agencies. In addition, consecutive public water systems (those systems that serve water purchased from another public water system) are excluded from MAP. One of the primary objectives of MAP is to bring the participating public water systems into compliance with the Safe Drinking Water Act Monitoring and Reporting Requirements.

This program is a key factor in making sure that sampling and reporting violations are virtually eliminated. The program is responsible for filling data gaps for many of the participating PWSs.

The waiver program works in conjunction with MAP to achieve compliance with Safe Drinking Water Act Monitoring and Reporting Requirements. A waiver may reduce the type and frequency of sampling for a system. A waiver is granted by ADEQ to a public water system to allow reduced sampling for certain groups of contaminants. Waivers are granted based on use, susceptibility, treatment type, or by rule. The intent of a waiver is to minimize the cost of monitoring through reduced sampling without compromising public health.

Prior to implementing MAP, fewer than 25% of public water systems applied for reduced monitoring under the waiver program. Currently, waivers are issued to more than 75% of the public water systems that qualify. This not only saves money for MAP but also reduces the number of sampling and reporting compliance violations, thus allowing valuable resources to focus on other assistance activities.

A complete compliance period has been completed since the inception of the MAP program in 1999. This has resulted in filling many of the data gaps experienced by PWS. Violations due to sampling and reporting have been reduced. However, this has not resulted in a reduction in enforcement. It is the opinion of ADEQ that a reduction in enforcement will not be measurable until a complete compliance cycle has been completed.

## 4 SUMMARY

Since the capacity development strategy was approved, it is the objective of ADEQ to provide a solid foundation for the future of the program. The building blocks of this foundation are public education through the use of workshops and technical presentations, using applicable rules and statutes as well as developing new rules to administer the program in an effective manner, developing and enhancing the use of interactive electronic media as a means to manage resources and disseminate information, and maintain excellence in customer service. The activities that are currently resulting in improved capacity (e.g., those activities mentioned earlier in this report) will be further refined and enhanced through time. By the end of 2001, the rule to allow ADEQ to financially assist public water systems will be in place allowing ADEQ to evaluate the capacity of a large number of public water systems to determine the type of assistance they need. This will provide WIFA with a larger pool of PWSs to solicit for loan applications thereby rebuilding the PWS's infrastructure.